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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,044	12/09/2003	Steven S. Homer	200312394-1	7543

22879 7590 10/12/2005

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FORT COLLINS, CO 80527-2400

EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

22

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/731,044	HOMER, STEVEN S.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Yean-Hsi Chang	2835	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/9/03</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Tang (US 5,987,704).

Tang teaches an electronic device (302, fig. 3) comprising: a lid (502) operable to pivot about at least one hinge (506) from a protected orientation (fig. 5A) to a fully extended orientation (fig. 5D) by rotation of the lid about a longitudinal axis (410) of the at least one hinge by more than one-hundred and eighty degrees with respect to a base (shown in figs. 5) (claims 1 and 3-4); and wherein the lid comprises a display device (114) (fig. 5).

3. Claims 6-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Tang.

Tang teaches an electronic device (302, fig. 3) comprising: a base (306), a lid (304), and at least one hinge (320) comprising: a linking structure (330) operable to couple the lid to the base (shown in fig. 3), and a pair of cooperatively engaged gears (322 and 324), a first gear (324) of the pair of gears disposed in the base and a second

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gear (322) of the pair of gears disposed in the lid to facilitate movement of the lid and the base relative to the linking structure (shown in fig. 3) (claim 6); a mounting pin (340b) disposed in the base and operable to couple an end (lower end) of the linking structure to the base such that rotation of the linking structure causes the mounting pin to rotate about a longitudinal axis (not labeled) of the mounting pin (shown in fig. 3) (claims 7 and 9); a mounting pin (340a) disposed in the lid and operable to couple an end (upper end) of the linking structure to the lid and operable to rotate about a longitudinal axis (not labeled) of the mounting pin (shown in fig. 3) (claims 8 and 11); a clutch structure (332 and 334) associated with the mounting pin and operable to resist movement of the base relative to the mounting pin (see col. 6, lines 45-47) (claim 10); and wherein the first gear is fixedly secured to the base and the second gear is fixedly secured to the lid (shown in fig. 3) (claim 12).

4. Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by Tang.

Tang teaches an electronic device (302, fig. 3), comprising: a base (306), and at least one hinge (320) operable to couple a lid (304) to the base, the lid operable to pivot about the at least one hinge from a protected orientation to a fully extended orientation (shown in figs. 5) (claim 5).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being ant by Shimano et al.  
(US 6,845,005 B2).

Shimano teaches an electronic device (fig. 1) comprising: a lid (10) operable to pivot about at least one hinge (13) from a protected orientation (partially shown in fig. 2(a)) to a fully extended orientation (partially shown in fig. 2(c)) (claim 1); and wherein the lid is operable to releasably lock in a position where an angle between an inner surface of the lid and a top surface of a base is greater than one-hundred and eighty degrees (shown in fig. 6(c)) (claim 2).

7. Claims 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimano et al.

Shimano teaches an electronic device (fig. 1) comprising: a base (12), at least one hinge (13) operable to couple a lid (10) to the base, the lid operable to pivot about the at least one hinge from a protected orientation (partially shown in fig. 2(a)) to a fully extended orientation (partially shown in fig. 2(c)) (claim 15); and wherein the at least one hinge facilitates releasable locking of the lid in a position where an angle between an inner surface of the lid and a top surface of the base is greater than one-hundred and eighty degrees (the angle between the two surfaces shown in fig. 2(c) is greater than 180° and the lid is locked in position) (claim 16).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang in view of Shimano et al.

Tang discloses the claimed invention except a detent mechanism disposed in the base or in the lid.

Shimano teaches an electronic device (fig. 1) comprising a detent structure (shown in figs. 14) associated with a mounting pin (98) disposed in a base (12) operable to resist movement of the base relative to the mounting pin.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Tang with the detent mechanism taught by Shimano for resisting movement of the base or the lid with respect to the mounting pin.

***Correspondence***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-

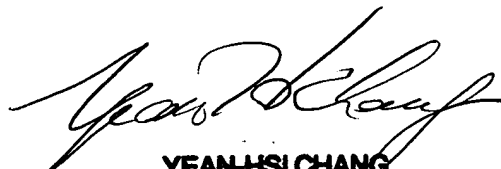
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2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Friday (except every other Fridays).

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang  
Primary Examiner  
Art Unit: 2835  
October 9, 2005



**YEAN-HSI CHANG**  
PRIMARY EXAMINER